

Exhibit L

JONES DAY

77 WEST WACKER • CHICAGO, ILLINOIS 60601-1692
TELEPHONE: 312-782-3939 • FACSIMILE: 312-782-8585

Direct Number: 312/269-1529
baoconnor@jonesday.com

August 29, 2005

VIA MESSENGER

Jennifer Fountain Connolly, Esq.
The Wexler Firm LLP
One North LaSalle Street, Suite 2000
Chicago, Illinois 60602

Re: In Re Pharmaceutical Industry Average Wholesale Price Litigation,
MDL 1456 (D. Mass.)

Dear Jennifer:

I am sending you the enclosed CD-ROM that contains additional Abbott production documents. The documents are labeled ABT AWP/MDL 072235 - ABT AWP/MDL 076414 and have been designated confidential as appropriate.

Please contact me if you have any questions.

Sincerely,


Beth A. O'Connor

cc: Toni-Ann Citera

CHI-1494545v1

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Exhibit M

JONES DAY

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November 4, 2005

VIA MESSENGER

Jennifer Fountain Connolly, Esq.
The Wexler Firm LLP
One North LaSalle Street, Suite 2000
Chicago, Illinois 60602

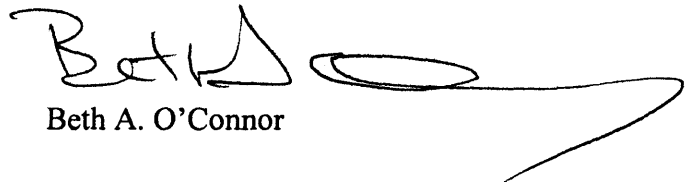
Re: In Re Pharmaceutical Industry Average Wholesale Price Litigation,
MDL 1456 (D. Mass.)

Dear Jennifer:

I am sending you the two enclosed CD-ROMs that contain additional Abbott production documents. The documents contained therein are labeled ABT AWP/MDL 076415 - ABT AWP/MDL 087092 and have been designated confidential as appropriate.

Please contact me if you have any questions.

Sincerely,


Beth A. O'Connor

cc: Toni-Ann Citera

CHI-1504789v1

JONES DAY

77 WEST WACKER • CHICAGO, ILLINOIS 60601-1692
TELEPHONE: 312-782-3939 • FACSIMILE: 312-782-8585

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November 11, 2005

VIA MESSENGER

Jennifer Fountain Connolly, Esq.
The Wexler Firm LLP
One North LaSalle Street, Suite 2000
Chicago, Illinois 60602

Re: In Re Pharmaceutical Industry Average Wholesale Price Litigation,
MDL 1456 (D. Mass.)

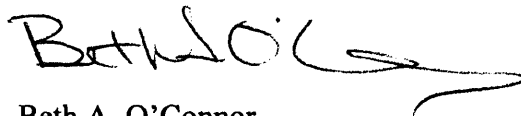
Dear Jennifer:

I am sending you deposition transcripts and exhibits from other AWP cases for the following individuals: Harry Adams, Gerrie Cicerale, Michael Heggie, Lynn Leone, and Dennis Walker. These transcripts have been bates labeled ABT AWP/MDL 087093 - ABT AWP/MDL 088884 and have been designated confidential as appropriate.

In addition, I have enclosed a CD-ROM that contains additional Abbott production documents. The documents contained therein are labeled ABT AWP/MDL 088885 - ABT AWP/MDL 096429 and have been designated confidential as appropriate.

Please contact me if you have any questions.

Sincerely,



Beth A. O'Connor

cc: Toni-Ann Citera

CHI-1505753v1

JONES DAY

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November 18, 2005

VIA MESSENGER

Jennifer Fountain Connolly, Esq.
The Wexler Firm LLP
One North LaSalle Street, Suite 2000
Chicago, Illinois 60602

Re: In Re Pharmaceutical Industry Average Wholesale Price Litigation,
MDL 1456 (D. Mass.)

Dear Jennifer:

I am sending you the two enclosed CD-ROMs that contain additional Abbott production documents. The documents contained therein are labeled ABT AWP/MDL 096430 - ABT AWP/MDL 108956 and have been designated confidential as appropriate.

Please contact me if you have any questions.

Sincerely,



Beth A. O'Connor

cc: Toni-Ann Citera

CHI-1507222v1

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JONES DAY

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November 23, 2005

VIA MESSENGER

Jennifer Fountain Connolly, Esq.
The Wexler Firm LLP
One North LaSalle Street, Suite 2000
Chicago, Illinois 60602

Re: In Re Pharmaceutical Industry Average Wholesale
Price Litigation, MDL 1456 (D. Mass.)

Dear Jennifer:

I am sending you one enclosed CD-ROM that contains additional Abbott production documents. The documents contained therein are labeled ABT AWP/MDL 108957 - ABT AWP/MDL 116722 and have been designated confidential as appropriate.

Please contact me if you have any questions.

Sincerely,



Beth A. O'Connor

cc: Toni-Ann Citera

JONES DAY

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December 2, 2005

VIA MESSENGER

Jennifer Fountain Connolly, Esq.
The Wexler Firm LLP
One North LaSalle Street, Suite 2000
Chicago, Illinois 60602

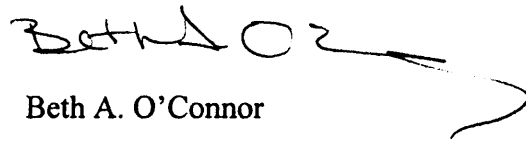
Re: In Re Pharmaceutical Industry Average Wholesale Price Litigation,
MDL 1456 (D. Mass.)

Dear Jennifer:

I am sending you the enclosed CD-ROM that contains additional Abbott production documents. The documents contained therein are labeled ABT AWP/MDL 116723 - ABT AWP/MDL 122283 and have been designated confidential as appropriate.

Please contact me if you have any questions.

Sincerely,


Beth A. O'Connor

cc: Toni-Ann Citera

CHI-1509071v1

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JONES DAY

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December 9, 2005

VIA MESSENGER

Jennifer Fountain Connolly, Esq.
The Wexler Firm LLP
One North LaSalle Street, Suite 2000
Chicago, Illinois 60602

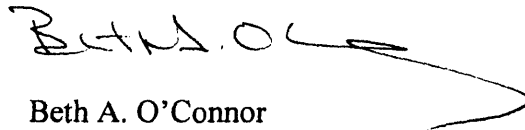
Re: In Re Pharmaceutical Industry Average Wholesale Price Litigation,
MDL 1456 (D. Mass.)

Dear Jennifer:

I am sending you the enclosed CD-ROM that contains additional Abbott production documents. The documents contained therein are labeled ABT AWP/MDL 122284 - ABT AWP/MDL 126900 and have been designated confidential as appropriate.

Please contact me if you have any questions.

Sincerely,



Beth A. O'Connor

cc: Toni-Ann Citera

CHI-1510442v1

Exhibit N

JONES DAY

77 WEST WACKER • CHICAGO, ILLINOIS 60601-1692
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tmtabacchi@jonesday.com

December 12, 2005

VIA FACSIMILE

Jennifer Fountain Connolly
THE WEXLER FIRM
One North LaSalle Street
Suite 2000
Chicago, IL 60602

***Re: In re Pharmaceutical Industry Average Wholesale Price Litigation
MDL No. 1456***

Dear Jennifer:

I have received your email today advising us that Plaintiffs wish to cancel the depositions of John Casey (December 14); Steve Kipperman (December 14); Cliff Krajewski (December 19), Ted Lyjak (December 21); and Jeff Hamlin (December 22).

While we are happy to accommodate Plaintiffs' schedule and appreciate that this is a busy time of year for everyone, I wanted to be sure that there was no misunderstanding as to the status of Abbott's document production and Abbott's position with respect to the close of Track 2 Discovery and the depositions of Abbott witnesses.

Abbott's Document Production

It is unfortunate if not ironic that Plaintiffs chose to serve incredibly broad discovery requests only to then complain, when the requested documents are produced (at enormous expense), that Plaintiffs have been subjected to a "document dump." The "wholesaler prices lists" you use as an example, were responsive to Plaintiffs' Requests For Production Nos. 16 ("price lists"), 17 (all documents relating to price announcements, price changes or price lists), and 26 (all documents that reflect prices to various customers). If Plaintiffs have come to appreciate, as the litigation landscape has changed, that many of the requested documents or categories of documents are not what Plaintiffs expected or are simply not helpful to Plaintiffs, we would be happy to work with you tailor any future productions and avoid needless expenses. Please let us know.

Jennifer Fountain Connolly
December 12, 2005
Page 2

You are mistaken in your conclusion that "there has been virtually no production from the sales department." As you know, Abbott has produced a substantial volume of "sales department" documents including contracts, price lists, customer files, pricing analyses, communications with customers, as well as numerous other documents and emails contained in the working files of many individual "sales department" employees. Abbott has also produced national sales data - also from the "sales department." As we have repeatedly explained to you, the vast majority of Hospital Products Division sales (during the relevant time period the Hospital Products Division sold all the physician-administered drugs at issue in the case) were to Hospitals. AWP is completely irrelevant in the hospital setting. We have, as we have previously advised you, limited our production accordingly. Moreover, as I believe we have also tried to communicate to you, Abbott's sales force does not generate the types of documents you may have seen from other manufacturers selling different products directly to physicians.

Close of Track 2 Discovery

As you know, the Track 2 Defendants, including Abbott, have recently proposed to the Court that the Track 2 Discovery schedule be extended until March 3 to complete outstanding discovery against all Track 2 Defendants. We will continue to oppose any effort to place Abbott on a separate discovery schedule.

Depositions of Abbott Witnesses

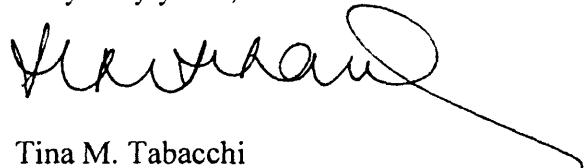
As we have repeatedly advised you, Abbott will not produce any witness or representative to you for a second deposition. Please do not misunderstand any agreement to proceed with a deposition (e.g. Mike Sellers) as an acknowledgement of Plaintiffs' purported "reservation of the right to redepose" any witness.

While we are prepared to proceed with the depositions, in light of your email today we have advised the identified witnesses that their depositions have been cancelled. We will wait to hear from you before endeavoring to reschedule any of these depositions, or to schedule any other depositions (e.g. McGill, Eichhorn). We will plan on proceeding with Mike Sellers and Mark Sebree as noticed.

Jennifer Fountain Connolly
December 12, 2005
Page 3

I am happy to discuss any of these issues with you further by telephone. I can be reached at 312-269-4081. You can also call Beth O'Connor at 312-269-1529 or Toni Citera at 212-326-8376.

Very truly yours,

A handwritten signature in black ink, appearing to read "Tina M. Tabacchi", with a long, sweeping horizontal line extending to the right.

Tina M. Tabacchi

cc: Toni-Ann Citera
Beth A. O'Connor

Exhibit O

JONES DAY

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JP978639
080024-024270

December 13, 2005

HIGHLY CONFIDENTIAL

VIA MESSENGER

Jennifer Fountain Connolly
One North LaSalle Street Suite 2000
Chicago, IL 60602

Re: *In re Pharmaceutical Industry Average Wholesale Price Litigation*
MDL No. 1456

Dear Jennifer:

We are in receipt of your letter regarding follow up on Abbott's and TAP's sales data witness interviews. Documents and information you requested during the interviews have been enclosed with this letter and are noted below. Your letter includes several additional requests for information and poses new questions, which we have attempted to address. It should be noted that, although Plaintiffs failed to ask many of these questions when they had the opportunity to do so during the sales interviews of the various individuals, we are cooperating with Plaintiffs by responding to these additional questions.

• **HPD Indirect Sales**

1. *The date the wholesaler invoiced its customer:* Abbott does not know when a wholesaler invoices its customers.
2. *Data that reflects the actual payments that were made with respect to the field entitled "Customer Rebate Discount Etc. Total.":* The rebates and management fees accrued in this field are associated with specific provisions in contracts between Abbott and its various customers. Contracts containing these performance standards have been produced to plaintiffs. To the extent we locate additional relevant contracts we will produce them to you. The rebate or management fee cannot be matched with an individual sale of any individual drug but instead, applies to purchases for an entire group of drugs/equipment over a specified period of time. Abbott accrues for these payments on a line-item basis to ensure that appropriate funds are available when payments are due, not to match payments with individual drug sales.
3. *Blanks in the "Buy Group Name" field:* We have been informed that the system pulled all available data for a particular sale. To the extent a field is blank, it may

CHI-1507623

Jennifer Fountain Connolly
December 13, 2005
Page 2

be the case that there is no buying group associated with the particular sale or the information was not available at the time of sale.

4. *Blanks in the "End Customer," "Ship to Customer Class of Trade" and "Acute/Non-Acute" fields:* We have been informed that the system pulled all available data for a particular sale. To the extent a field is blank, it may be the case that the information was not available at the time of sale.
5. *Availability of electronic rebate/management fee calculation:* The calculation and reconciliation of the rebate and management fees were not maintained electronically until very recently.

- **HPD and PPD Direct Sales and TAP Direct Sales**

1. *Blank "Customer Class" field:* Research on the missing class code on credit 801065926 revealed that this record was received from the order processing system without the customer class information even though the Class code M060 appeared on the invoice.
2. *Description of codes appearing in the "Sales Size Code" field:* During Mr. Stowell's interview, he explained that the last two digits of the full NDC contain an internal number which is used to pick the unit of measure, *i.e.*, single, box or case. In order to translate the sale size codes into a uniform standard of measure, the sale size code can be multiplied by a conversion factor. In this case, the conversion of the sale size codes to standard units has already been completed and was included in the HPD direct sales data containing the 52 fields. The conversion field is called "QTY_BY_INV_SZ." Also, please keep in mind that the need for this conversion only applies to the HPD products.
3. *Errors in the importation of records:* We are unclear why these "errors" occurred in the importation of these few records.
4. *Pre-1994 data:* Restoration of any available pre-1994 sales data would create an undue burden on Abbott because the data is in a format which is not used today and consequently neither readily nor easily restorable. To the extent the pre-1994 sales data could be restored, it may be unreliable.

- **HPD Direct Sales with Rebate Accruals**

1. *Blank "ABT_CUST_CLS" field:* We have been informed that the system pulled all available data for a particular sale. To the extent a field is blank, it may be the case that the information was not available at the time of sale.

JONES DAY

Jennifer Fountain Connolly
December 13, 2005
Page 3

2. *Terms Code Table:* The terms code table is enclosed with this letter and is bates labeled ABT AWP/MDL 126901 - ABT AWP/MDL 126908 and designated "highly confidential."
3. *MKT_DIV contains Codes 04, 09 and 30 and "Do Not Use This Number":* During his interview, Mr. Stowell stated that the Code 04 pertained to PPD, Code 09 pertained to animal health, and Code 30 was the chemical division. Mr. Stowell also stated that MKT_DIV indicates the "owner" of the product. The inclusion of codes other than the HPD code in this field would be appropriate when HPD sells a product that is "owned" by PPD or some other division. The "Do Not Use This Number" was an internal message utilized for one specific customer whose customer number was changed for business reasons.
4. *OPS Instruction Code:* The OPS instruction code is enclosed with this letter and is bates labeled ABT AWP/MDL 126914 and designated "highly confidential."
5. *PGRP Codes:* During his interview, Mr. Stowell stated that the PGRP Code is used by the various divisions at Abbott to segment sales. These codes are defined by the marketing group. Mr. Stowell also stated that a table describing these codes does not exist.
6. *DBCR RSN Codes:* The DBCR RSN code table is enclosed with this letter and is bates labeled ABT AWP/MDL 126909 - ABT AWP/MDL 126913 and designated "highly confidential."
7. *PRPD_DESC field is blank:* This field is merely the product name, which can be determined from the NDC number provided.

• **PPD and TAP Direct and Indirect Sales**

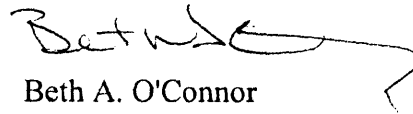
1. The PPD and TAP direct and indirect sales data relate solely to self-administered drugs. In light of Judge Saris' class certification ruling and Track 2 Defendants' Submission on Scheduling, no additional sales data will be produced at this time.

Please contact me if you have any questions regarding the enclosed documents or above information.

JONES DAY

Jennifer Fountain Connolly
December 13, 2005
Page 4

Sincerely,


Beth A. O'Connor

Enclosures

cc: Toni-Ann Citera

Exhibit P

JONES DAY

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TELEPHONE: 312-782-3939 • FACSIMILE: 312-782-8585

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baoconnor@jonesday.com

December 16, 2005

VIA MESSENGER

Jennifer Fountain Connolly, Esq.
The Wexler Firm LLP
One North LaSalle Street, Suite 2000
Chicago, Illinois 60602

Re: In Re Pharmaceutical Industry Average Wholesale Price Litigation,
MDL 1456 (D. Mass.)

Dear Jennifer:

I am sending you the enclosed three CD-ROMs that contain additional Abbott production documents. The documents contained therein are labeled ABT AWP/MDL 126915 - ABT AWP/MDL 141469 and have been designated confidential as appropriate.

Please contact me if you have any questions.

Sincerely,



Beth A. O'Connor

cc: Toni-Ann Citera

CHI-1511733v1

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JONES DAY

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baoconnor@jonesday.com

December 23, 2005

VIA MESSENGER

Jennifer Fountain Connolly, Esq.
The Wexler Firm LLP
One North LaSalle Street, Suite 2000
Chicago, Illinois 60602

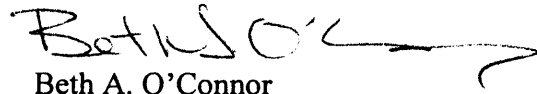
Re: In Re Pharmaceutical Industry Average Wholesale Price Litigation,
MDL 1456 (D. Mass.)

Dear Jennifer:

I am sending you the enclosed CD-ROM that contains additional Abbott production documents. The documents contained therein are labeled ABT AWP/MDL 141470 - ABT AWP/MDL 147691 and have been designated confidential as appropriate.

Please contact me if you have any questions.

Sincerely,



Beth A. O'Connor

cc: Toni-Ann Citera

CHI-1512646v1

JONES DAY

77 WEST WACKER • CHICAGO, ILLINOIS 60601-1692
TELEPHONE: 312-782-3939 • FACSIMILE: 312-782-8585

Direct Number: 312/269-1529
baoconnor@jonesday.com

December 30, 2005

Via Messenger

Jennifer Fountain Connolly, Esq.
The Wexler Firm LLP
One North LaSalle Street, Suite 2000
Chicago, Illinois 60602

Re: In Re Pharmaceutical Industry Average Wholesale Price Litigation,
MDL 1456 (D. Mass.)

Dear Jennifer:

I am sending you one enclosed CD-ROM that contains additional Abbott production documents. The documents contained therein are labeled ABT AWP/MDL 147692 - ABT AWP/MDL 149751 and have been designated confidential as appropriate.

Please contact me if you have any questions.

Sincerely,


Beth A. O'Connor

cc: Toni-Ann Citera

JONES DAY

77 WEST WACKER • CHICAGO, ILLINOIS 60601-1676
TELEPHONE: 312-782-3939 • FACSIMILE: 312-782-8585

Direct Number: 312/269-1529
baoconnor@jonesday.com

January 6, 2006

VIA MESSENGER

Jennifer Fountain Connolly, Esq.
The Wexler Firm LLP
One North LaSalle Street, Suite 2000
Chicago, Illinois 60602

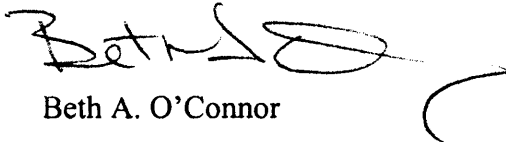
Re: In Re Pharmaceutical Industry Average Wholesale Price Litigation,
MDL 1456 (D. Mass.)

Dear Jennifer:

I am sending you the enclosed CD-ROM that contains additional Abbott production documents. The documents contained therein are labeled ABT AWP/MDL 149752 - ABT AWP/MDL 156326 and have been designated confidential as appropriate.

Please contact me if you have any questions.

Sincerely,


Beth A. O'Connor

cc: Toni-Ann Citera

CHI-1514026v1

JONES DAY

77 WEST WACKER • CHICAGO, ILLINOIS 60601-1676
TELEPHONE: 312-782-3939 • FACSIMILE: 312-782-8585

Direct Number: 312/269-1529
baoconnor@jonesday.com

January 13, 2006

VIA MESSENGER

Jennifer Fountain Connolly, Esq.
The Wexler Firm LLP
One North LaSalle Street, Suite 2000
Chicago, Illinois 60602

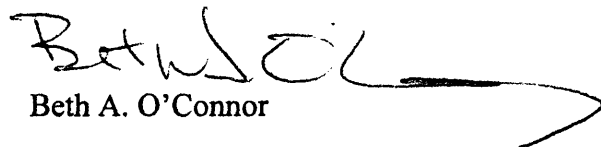
Re: In Re Pharmaceutical Industry Average Wholesale Price Litigation,
MDL 1456 (D. Mass.)

Dear Jennifer:

I am sending you the enclosed CD-ROM that contains additional Abbott production documents. The documents contained therein are labeled ABT AWP/MDL 156327 - ABT AWP/MDL 160902 and have been designated confidential as appropriate.

Please contact me if you have any questions.

Sincerely,


Beth A. O'Connor

cc: Toni-Ann Citera

CHI-1515221v1

JONES DAY

77 WEST WACKER • CHICAGO, ILLINOIS 60601-1676
TELEPHONE: 312-782-3939 • FACSIMILE: 312-782-8585

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baoconnor@jonesday.com

January 20, 2006

VIA MESSENGER

Jennifer Fountain Connolly, Esq.
The Wexler Firm LLP
One North LaSalle Street, Suite 2000
Chicago, Illinois 60602

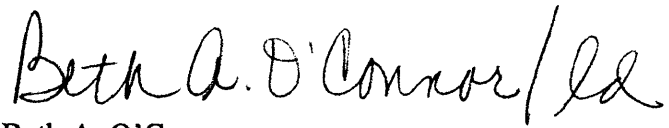
Re: In Re Pharmaceutical Industry Average Wholesale Price Litigation,
MDL 1456 (D. Mass.)

Dear Jennifer:

I am sending you the enclosed CD-ROM that contains additional Abbott production documents. The documents contained therein are labeled ABT AWP/MDL 160903 - ABT AWP/MDL 167000 and have been designated confidential as appropriate.

Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink that reads "Beth A. O'Connor" followed by a stylized flourish or initials.

Beth A. O'Connor

cc: Toni-Ann Citera

CHI-1516381v1

JONES DAY

77 WEST WACKER • CHICAGO, ILLINOIS 60601-1676
TELEPHONE: 312-782-3939 • FACSIMILE: 312-782-8585

Direct Number: 312/269-1529
baoconnor@jonesday.com

January 27, 2006

VIA MESSENGER

Jennifer Fountain Connolly, Esq.
The Wexler Firm LLP
One North LaSalle Street, Suite 2000
Chicago, Illinois 60602

Re: In Re Pharmaceutical Industry Average Wholesale Price Litigation,
MDL 1456 (D. Mass.)

Dear Jennifer:

I am sending you the enclosed CD-ROM that contains additional Abbott production documents. The documents contained therein are labeled ABT AWP/MDL 167001 - ABT AWP/MDL 176211 and have been designated confidential as appropriate.

Please contact me if you have any questions.

Sincerely,


Beth A. O'Connor

cc: Toni-Ann Citera

CHI-1517514v1

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JONES DAY

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TELEPHONE: 312-782-3939 • FACSIMILE: 312-782-8585

Direct Number: 312/269-1529
baoconnor@jonesday.com

January 31, 2006

VIA MESSENGER

Kenneth Wexler, Esq.
The Wexler Firm LLP
One North LaSalle Street, Suite 2000
Chicago, Illinois 60602

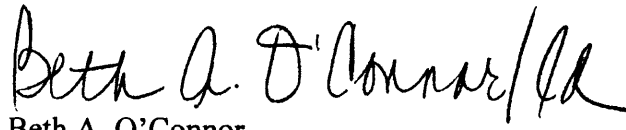
Re: In Re Pharmaceutical Industry Average Wholesale Price Litigation,
MDL 1456 (D. Mass.)

Dear Ken:

I am sending you the enclosed seven (7) CD-ROMs that contain additional Abbott production documents. The documents contained on these CDs are labeled ABT AWP/MDL 176212 - ABT AWP/MDL 240684 and have been designated confidential as appropriate.

Please contact me if you have any questions.

Sincerely,



Beth A. O'Connor

cc: Toni-Ann Citera

CHI-1518082v1

Exhibit Q

JONES DAY

77 WEST WACKER • CHICAGO, ILLINOIS 60601-1676
TELEPHONE: 312-782-3939 • FACSIMILE: 312-782-8585

Direct Number: 312/269-1529
baoconnor@jonesday.com

February 8, 2006

VIA FACSIMILE 312/346-0022

Kenneth Wexler
The Wexler Firm LLP
One North LaSalle Street, Suite 2000
Chicago, Illinois 60602

Re: In Re Pharmaceutical Industry Average Wholesale Price Litigation,
MDL 1456 (D. Mass.)

Dear Ken:

I am writing in response to your letter of February 6, 2006 regarding various issues from our meet and confer on January 25, 2006 regarding Abbott's production.

E-MAIL PRODUCTION

I have been informed that our vendor will get back to us on Thursday, February 9, 2006 with the results of the "hit list" for the following four key word search terms that are at issue: "profits," "incentives," "margins," and "samples." I hope to get back to you that same day as to whether these search terms are overbroad.

SOURCE LISTS

We are in the process of creating a source reference list of the documents Abbott has produced, excluding the government productions made pursuant to CMO 5 and CMO 10. We hope to have this list to you by the end of next week.

MARKETING PRODUCTION

The marketing production is included in the production CDs you received last week. The bates range for these documents is ABT AWP/MDL 186041-216459.

UPDATE AND PLAN MEETING DOCUMENTS

We are in the process of conferring with our client on this issue. I will try to get back to you early next week on this issue.

CHI-1495362v2

JONES DAY

Kenneth Wexler
February 8, 2006
Page 2

SALES PRODUCTION

You received a significant production of sales documents in the recent production, including Significant Events and Monthly Updates from the field sales force and managers. We are looking into what Calcijex-related sales documents exist from files managers responsible for Calcijex sales. In addition, you have requested production of Abbott's Code of Conduct. We are looking into these issues and will get back to you shortly.

SALES AWARDS

We will be providing you a list of sales awards for the sales force shortly.

TRAINING DOCUMENTS

The production you received last week included documents related to sales training, including those from field sales training employees for the Alternate Site sales force. In addition, we will produce general sales training manuals, to the extent they exist, for the Alternate Site sales force.

FINANCIAL DOCUMENTS

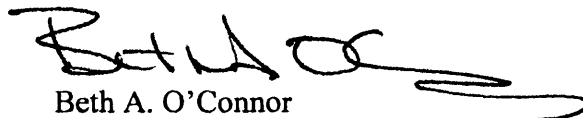
As these are related to and will overlap with any decision to produce plan and update documents, as stated earlier, I will let you know next week whether we will be producing these documents.

DEPONENTS' FILES

We believe that any files we have located for the individuals that you listed in your letter have been collected and the relevant documents produced, save any back-up e-mails that are currently being processed for production. To the extent we should discover that this is not the case, we will produce relevant files for these individuals.

Please contact me if you have any questions.

Sincerely,


Beth A. O'Connor

cc: Toni-Ann Citera

Exhibit R

JONES DAY

77 WEST WACKER • CHICAGO, ILLINOIS 60601-1676
TELEPHONE: 312-782-3939 • FACSIMILE: 312-782-8585

Direct Number: 312/269-1529
baoconnor@jonesday.com

February 28, 2006

VIA MESSENGER

Amber Nesbitt
The Wexler Firm LLP
One North LaSalle Street, Suite 2000
Chicago, Illinois 60602

Re: In Re Pharmaceutical Industry Average Wholesale Price Litigation,
MDL 1456 (D. Mass.)

Dear Amber:

I am writing to follow-up on my February 8, 2006 letter to Ken Wexler regarding various issues relating to Abbott's production.

E-MAIL PRODUCTION

Abbott will agree to include the terms "profits," "incentives," "margins," and "samples" in its list of search terms. The e-mails are currently being processed. Once the emails are processed, we will review them and begin producing responsive emails hopefully as early as next week.

SOURCE LISTS

Included with this letter is a CD-ROM, labeled ABT AWP/MDL 240685, which contains two text files that are source lists for Abbott's recent productions. As we discussed, we are unable to create similar source lists for the productions made pursuant to CMO 5 and CMO 10.

SALES PRODUCTION

Plaintiffs requested Abbott produce Calcijex related sales documents in addition to the sales documents you have received. We are in the process of collecting sales reports and documents from the managers overseeing Calcijex sales and will produce responsive documents, to the extent they exist. In addition, as you requested, we will produce Abbott's Code of Conduct.

CHI-1521986v2

JONES DAY

Amber Nesbitt
February 28, 2006
Page 2

SALES AWARDS

Included with this letter is a hard copy spreadsheet, labeled ABT AWP/MDL 240686 - ABT AWP/MDL 240721, which lists the names of individuals who have received sales awards. The following individuals earned the awards as part of the Alternate Site sales force:

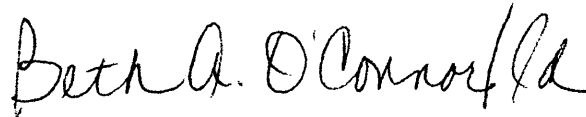
Keith Aldy	Janet Astori	Jeffrey Balzer	Mike Beck
Ron Blackwell	Kelly Bukaty	Rob Cannon	Chandra Coleman
Sam Colon	Jennifer Connell	Andrew Crofoot	Brad Crosby
Brian Davidson	Frank Genuardi	Jeani Haines	Amanda Hatfield
Denis Hill	Meg Jansen	Kaye Jessup	Dennis Kelly
Ma'at Kenney	Molly Louhgman	Paul Lozano	Clydie Mayfield
Doug McGill	Deborah Paulson	Shannon Quinby	Aaron Rayford
Doris Roach	John Sims	Catrina Smith	Mark Spiers
Scot SteenOlsen	Matt Strassner	Melissa Xavier	Diana Young
David Zackowski			

UPDATE, PLAN AND RELATED FINANCIAL DOCUMENTS

Abbott will not produce its business and plan documents in response to Plaintiffs' requests on the grounds that they are neither relevant nor likely to lead to the discovery of admissible evidence and due to their highly sensitive and proprietary nature. I am happy to discuss this decision with you in more detail if necessary.

Please contact me if you have any questions.

Sincerely,



Beth A. O'Connor

cc: Toni-Ann Citera

Exhibit S

JONES DAY

77 WEST WACKER • CHICAGO, ILLINOIS 60601-1676
TELEPHONE: 312-782-3939 • FACSIMILE: 312-782-8585

Direct Number: 312/269-1529
baoconnor@jonesday.com

March 10, 2006

VIA MESSENGER

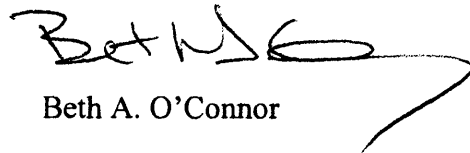
Amber Nesbitt
The Wexler Firm LLP
One North LaSalle Street, Suite 2000
Chicago, Illinois 60602

Re: In Re Pharmaceutical Industry Average Wholesale Price Litigation,
MDL 1456 (D. Mass.)

Dear Amber:

I am sending to Plaintiffs three versions of Abbott's Code of Conduct, which have been labeled ABT AWP MDL 240685 through ABT AWP/MDL 240717.

Sincerely,


Beth A. O'Connor

cc: Toni-Ann Citera

CHI-1524040v1

Exhibit T

JONES DAY

77 WEST WACKER • CHICAGO, ILLINOIS 60601-1692
TELEPHONE: (312) 782-3939 • FACSIMILE: (312) 782-8585

April 5, 2006

VIA MESSENGER

Amber Nesbitt
The Wexler Firm LLP
One North LaSalle Street, Suite 2000
Chicago, Illinois 60602

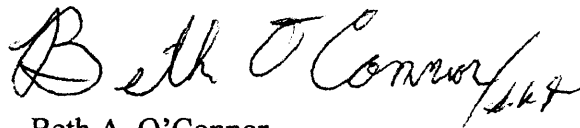
Re: In Re Pharmaceutical Industry Average Wholesale Price Litigation,
MDL 1456 (D. Mass.)

Dear Amber:

Enclosed please find one CD containing electronic documents bearing bates numbers ABTMDL-E 0000001 - 0014615. The confidentiality designations in accordance with the Protective Order are endorsed on the document images.

Please contact me with any questions.

Sincerely,



Beth A. O'Connor

cc: Toni-Ann Citera

Exhibit U

JONES DAY

77 WEST WACKER • CHICAGO, ILLINOIS 60601-1676
TELEPHONE: 312-782-3939 • FACSIMILE: 312-782-8585

Direct Number: 312/269-1529
baoconnor@jonesday.com

April 18, 2006

VIA FEDEX

Robert F. Lopez
Hagens Berman Sobol Shapiro LLP
1301 Fifth Ave., Ste. 2900
Seattle, WA 98101

Re: In Re Pharmaceutical Industry Average Wholesale Price Litigation,
MDL 1456 (D. Mass.)

Dear Rob:

I am sending you the enclosed CD-ROM that contains IMS data for the requested Abbott drugs. The CD-ROM is labeled ABT AWP/MDL 240755. The data contained therein is highly confidential and subject to the terms of the Letter Agreement entered into by Abbott, Plaintiffs and IMS Health, Inc.

Please contact me if you have any questions.

Sincerely,


Beth A. O'Connor

cc: Tina M. Tabacchi

CHI-1529833v1

JONES DAY

77 WEST WACKER • CHICAGO, ILLINOIS 60601-1676
TELEPHONE: 312-782-3939 • FACSIMILE: 312-782-8585

Direct Number: 312/269-1529
baoconnor@jonesday.com

April 18, 2006

VIA MESSENGER

Amber Nesbitt, Esq.
The Wexler Firm LLP
One North LaSalle Street, Suite 2000
Chicago, Illinois 60602

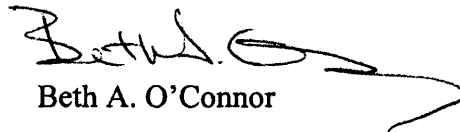
Re: In Re Pharmaceutical Industry Average Wholesale Price Litigation,
MDL 1456 (D. Mass.)

Dear Amber:

I am sending you the enclosed CD-ROMs that contain additional Abbott production documents. The documents contained on these two CD-ROMs are labeled ABT AWP/MDL-E 0014616 - 0036640 and ABT AWP/MDL-E 0036641 - 0044356 and have been designated confidential as appropriate.

Please contact me if you have any questions.

Sincerely,


Beth A. O'Connor

cc: Tina M. Tabacchi

CHI-1529815v1

Exhibit V

JONES DAY

77 WEST WACKER • CHICAGO, ILLINOIS 60601-1676
TELEPHONE: 312-782-3939 • FACSIMILE: 312-782-8585

Direct Number: 312/269-1529
baoconnor@jonesday.com

June 12, 2006

VIA MESSENGER

Jennifer Fountain Connolly, Esq.
The Wexler Firm LLP
One North LaSalle Street, Suite 2000
Chicago, Illinois 60602

Re: In Re Pharmaceutical Industry Average Wholesale Price Litigation,
MDL 1456 (D. Mass.)


Dear Jennifer:

I am sending you the enclosed CD-ROM that contain additional Abbott production documents. The documents on this CD are Calcijex related. These Calcijex documents have been labeled ABT AWP/MDL 240905 – ABT AWP/MDL 241462 and have been designated confidential as appropriate. We are also producing Plan and Update documents in hard copies. These documents are labeled ABT AWP/MDL 241463 – ABT AWP/MDL 243270 and have been designated confidential as appropriate.

Also, I had contacted you about scheduling a call to discuss the categories of which Plaintiffs have moved to compel production. Abbott's production of the documents above should alleviate concerns regarding two of Plaintiffs' categories and I would like to discuss the remaining categories as Plaintiffs' motion is unclear as to what types of documents Plaintiffs' believe are missing from Abbott's production. As suggested, I am available for a call this afternoon at 3:00 and will try calling you at that time. If you are not available, please let me know what time is convenient for you.

I look forward to hearing from you.

Sincerely,


Beth A. O'Connor

cc: Tina M. Tabacchi

CHI-1538772v1

Exhibit W

WEXLER | TORISEVA | WALLACE

A Limited Liability Partnership

Chicago Office:
One N. LaSalle Street
Suite 2000
Chicago, Illinois 60602
Telephone: (312) 346-2222
Facsimile: (312) 346-0022

FACSIMILE TRANSMISSION SHEET

Date: June 27, 2006

From: Jennifer Fountain Connolly

To: Beth O'Connor

Fax No: (312) 782-8585

Number of Pages, Including Cover: 5

Originals to Follow: No

Re: **In re: Pharmaceutical Industry Average Wholesale Price Litigation**
MDL 1456 (D. Mass)

COMMENTS:

Please see attached.

In case of difficulty in transmission, please call (312) 346-2222.

The information contained in this facsimile message is subject to the attorney-client privilege or is otherwise privileged and confidential information intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any reading, dissemination or copying of this communication is strictly prohibited. If you have received this communication in error, please immediately notice Wexler Toriseva Wallace by telephone and destroy the original message. Thank You.

WEXLER | TORISEVA | WALLACE

Limited Liability Partnership
Chicago, IL • Wheeling, WV • Sacramento, CA

June 27, 2006

VIA FACSIMILE

Ms. Beth O'Connor
Jones Day
77 W. Wacker Drive
Chicago, IL 60601-7692

Re: *In re: Pharmaceutical Industry Average Wholesale Price Litigation*
MDL 1456 (D. Mass.)

Dear Beth:

I write to memorialize our June 15th and 23rd meet and confers concerning the issues outlined in plaintiffs' Motion to Compel and For Assessment of Discovery-Related Costs Against Defendant Abbott Laboratories ("Motion to Compel"). Our respective positions and the conclusions reached are set forth in detail below.

1. Calcijex-related sales documents:

Since plaintiffs filed their Motion to Compel, Abbott produced Calcijex-related sales documents collected from Abbott's sales managers at its "home office." You have represented that another production is forthcoming this week that will include similar types of documents from the same source.

We told you that, in addition to the "home office" documents, plaintiffs are seeking *any* sales-related Calcijex documents relevant to this case. You represented that, because plaintiffs purportedly agreed to limit the search for Calcijex documents to documents located in Abbott's sales managers' files, you did not collect documents or e-mails from Abbott's sales force responsible for Calcijex. We have agreed to disagree as to whose position accurately reflects our previous compromises. Nonetheless, you said on June 23rd that you had followed up with Abbott and learned that it has not actively promoted Calcijex since 1998. Accordingly, it is your position that the sales representatives do not have any additional responsive documents. Therefore, upon receipt of the supplemental production, you have represented that plaintiffs will have the complete universe of Calcijex-related sales documents.

Contact Information: Jennifer Fountain Connolly
(312) 261-8195 Direct Dial
jfc@wtwlaw.us

One N. LaSalle Street
Suite 2000
Chicago, IL 60602

(312) 348-2222
(312) 348-0022 fax
www.wtwlaw.us

WEXLER | TORISEVA | WALLACE

Ms. Beth O'Connor
June 27, 2006
Page 2 of 4

2. Plan and Update Documents:

Since the Motion to Compel, Abbott has produced five Plan and Update documents: 1998 HPD April Update; 1999 Plan Hospital Business Sector Net Sales and Standard Margin; 1999 HPD Commercial Operations Update; 2000 HPD April Update; and 2003 HPD Alternate Site Product Review. You have represented that all remaining Plan and Update documents will be produced during the week of July 10th.

3. Sales Documents:

Plaintiffs asked you to determine whether any other sales documents exist, including but not limited to: communications from sales representatives to customers, and from sales representatives to managers. This request stems from the fact that the majority of the "sales documents" produced by Abbott to date has comprised of price lists, significant event reports, and contracting files.

On the June 15th call, you stated that the plaintiffs' document requests were sent to sales representatives and employees in Abbott's sales and contract marketing groups, and that Abbott produced all documents that were deemed responsive. Thereafter, you discussed this issue with Abbott and on June 22nd you informed us that Abbott believes that all responsive sales-related documents have been produced. Nonetheless, you have committed to having Abbott re-review its sales documents to confirm that its production is complete. Should you locate any additional responsive documents, you have agreed to produce them during the week of July 10th.

4. High-Level Marketing and Strategy Documents:

We are seeking high-level marketing and strategy documents, and reiterated on the June 15th call that this includes all relevant documents, not only those that mention the name of a drug at issue. You indicated that Abbott does not always have extensive marketing plans, especially for generic drugs, and that you were virtually certain that all responsive documents had been produced. Nonetheless, you agreed to confirm this with Abbott, and give us examples of documents that you believe fit this category.

On June 22nd, you said that Abbott confirmed that all responsive documents have been produced. However, you have committed to having Abbott re-review its documents to be absolutely certain that the marketing production is complete. Any additional documents discovered shall be produced during the week of July 10th.

Finally, per our request, you gave us the Bates numbers for two documents you believe constitute the types of documents we are seeking. We are reviewing these documents and will discuss them with you at a later date.

WEXLER | TORISEVA | WALLACE

Ms. Beth O'Connor
June 26, 2006
Page 3 of 4

5. E-mail Collection Process:

Plaintiffs are concerned about ~ and have previously requested clarification on - the manner in which the e-mail search was conducted. This concern arises from the fact that Abbott's e-mail production is comparatively small, and does not include many e-mails from high-level employees.

You explained that Abbott took two complete server snapshots for its Hospital Products Division, one on January 23, 2002 and one on September 1, 2004. You also represented that Abbott has maintained daily back-up tapes and that Abbott issued a company-wide record-hold that instructed employees not to delete any relevant e-mails. In conducting the e-mail search, you reviewed the two server snapshots for e-mails belonging to certain employees, and then ran searches through their files based on the key word terms we previously agreed upon. You then reviewed the resulting e-mails for responsiveness, eliminated duplicates within custodians, and produced the remaining e-mails. You did not search the daily back-up tapes, nor did you search Pharmaceutical Products Division e-mails for Calcijex-related e-mails.

Plaintiffs do not believe that this was the best or most thorough manner in which to conduct this search and remain concerned that additional e-mails may exist that have not been collected. For now, you have agreed to supply me with a list of the employees whose e-mail folders were searched. Please provide this list to me during the week of July 10th along with the outstanding documents, if not sooner. We will revisit the adequacy of Abbott's e-mail production at a later date.

In closing, I confirmed plaintiffs' unwillingness to withdraw the Motion to Compel despite Abbott's recent efforts. While you obviously disagree, it is plaintiffs' position that sanctions are still appropriate given the pattern of delay over the past year coupled with the production of tens of thousands of pages of irrelevant documents that has caused plaintiffs to incur significant and unnecessary costs.

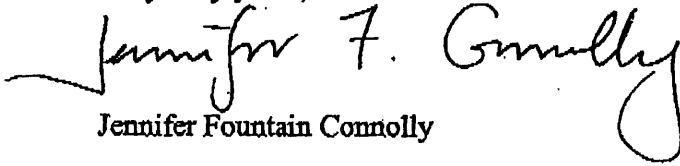
Finally, this letter does not waive any additional concerns plaintiffs may have regarding the quality of Abbott's production. While we appreciate your recent efforts to get the documents described above to us, because they were produced so recently we have not yet completed our review of them to see if production of additional documents might be required. For this reason we will be in touch regarding any additional issues in the coming weeks.

WEXLER | TORISEVA | WALLACE

Ms. Beth O'Connor
June 27, 2006
Page 4 of 4

Please let me know if this does not comport with your recollection of our discussions. I look forward to receiving the additional documents during the week of July 10th.

Very truly yours,

A handwritten signature in cursive script, reading "Jennifer F. Connolly". The signature is written in dark ink and is positioned above the printed name.

Jennifer Fountain Connolly

JFC:mls